

I have been working with NEPA for over 12 years in both the private and public sector. Currently I am the NEPA Coordinator for the Dolores Public Lands Office in southwestern Colorado. In that position, I am responsible for all the NEPA documents produced in this office. This is a Service First Office and produces both US Forest Service and US Bureau of Land Management NEPA documents.

NEPA certainly needs to be updated. I believe the original intent of the law has been lost. Agencies routinely produce enormous and convoluted documents. In most cases, the amount of complex data makes the document so confusing that it can't even be read and understood. This undermines the intent of having a document the general public can read, understand and provide meaningful feedback on. NEPA is not supposed to be a process by which every blade of grass is micromanaged on the ground.

Comments specific to proposal:

Recommendation 1.1:

I agree that "major federal action" needs a more specific definition. It is not uncommon for special interest groups use a standard litany of accusations to attack CE and EA level projects by claiming the proposed action is a "major federal action" and requires an EIS.

Recommendation 1.2:

It is absolutely essential to have mandatory timelines. We currently have some CEs that take over a year to do because some staff members are so overwhelmed by the amount of analysis that needs to be done now. In most cases, the excessive analysis adds nothing to the resulting document.

Recommendation 1.3:

Making clearer what projects are covered by CEs would be helpful.

Recommendation 1.4:

Having the ability to create a supplemental document rather than having to produce an entire new document would be helpful.

Recommendation 2.1:

Agree that local concerns should be given more weight than someone in a classroom 2000 miles away protesting a project because the professor put them up to it. However, I think it needs to be made very clear that public comments need only to be considered by the agency. I think there is a perception that the agency preparing the document is obligated to make changes based on submitted comments.

Recommendation 2.2:

ABSOLUTELY ESSENTIAL to codify page lengths for EIS'. This should also be done for EAs. The size of NEPA documents has gotten ridiculous. Although I can understand a concern that a page length may end up excluding important information in some cases, I do not believe such a result is probable. Nearly every document contains so much "fluff data" that a mandatory page length is necessary to force preparers to edit.

Recommendation 3.1:

We already involve these groups in our projects and value their input. I don't see any advantage to granting them cooperating agency status. This would in fact likely result in more paperwork with little to no benefit.

Recommendation 3.2:

This sounds like it could be helpful in some limited instances; however, I have not personally come across any.

Recommendation 4.1:

These all sound like good ideas to put more responsibility on the challenger.

Recommendation 4.2:

There are already too many requirements to follow. Advise against adding any more.

Recommendation 5.1:

Agree that this would be helpful.

Recommendation 5.2:

This would be a good addition. I do this as a standard procedure right now, but it is difficult to get other people to do it because it is not a regulation.

Recommendation 5.3:

Seems redundant to promulgate additional regulations stating that mitigations are mandatory. It already is the understanding of agencies that any mitigations or design criteria are mandatory. To make another regulation stating this for the agencies seems unnecessary. The problem is that budgets are so strained it is difficult to come up with funding and personnel to carry out and/or enforce mitigations and monitoring. Recommend restructuring this recommendation to focus on making private parties legally responsible for mitigation proposals.

Recommendation 6.1:

There are already too many regulations, and we already do a great deal to solicit input from stakeholders. I do not support creating additional regulations. If anything, the amount of regulations need to be reduced with more flexibility going to the Responsible Official.

Recommendation 6.2:

This sounds appropriate. Many times the CEQ regulations can be overlooked as simply "guidelines".

Recommendation 7.1:

Too much of our budgets at the agency level has already been cut. We need less people at the Washington level, not more. Decentralization is the key to getting practical things done.

Recommendation 7.2:

Good idea to provide cost ceilings for NEPA. As it is now, we do not have the time, money or personnel to do many of the things we are currently required to do.

Recommendation 8.1:

Cumulative effects are one of the most misunderstood topics in NEPA. Any clarifications would be helpful.

Recommendation 8.2:

Cumulative effects are one of the most misunderstood topics in NEPA. Any clarifications would be helpful.

Recommendation 9.1:

This sounds like a good proposal if it actually done. There is a great deal of duplication that I think can be eliminated.

Recommendation 9.2:

Good idea to study how to retain good NEPA personnel. Being the NEPA Coordinator is a difficult and thankless position. Due to the fact we are in quality control positions, we are often overlooked when it comes time to recognize people that have contributed to a project. I fully agree there should be some provisions for better compensation, awards or benefits of some kind for retention.

Recommendation 9.3:

This sounds like a good proposal if it actually done. There is a great deal of duplication that I think can be eliminated.

General Recommendation:

The NEPA requirements and guidance are spread out over so many different sources, those of us in the field need a good, reliable NEPA handbook.

Sincerely,

Eric G. La Price  
Biological Scientist/NEPA Coordinator  
Dolores Public Lands Office  
USDA-FS/USDI-BLM